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New York

President: Mr. Opertti ..... (Uruguay)

The meeting was called to order at 3.15 p.m.

Agenda item 59

Question of equitable representation on and increase in the membership of the Security Council and related matters

Draft resolution (A/53/L.16)

Amendment (A/53/L.42)

The President (*interpretation from Spanish*): I call on the representative of Egypt to introduce draft resolution A/53/L.16.

Mr. Elaraby (Egypt): I shall first speak on behalf of the sponsors of draft resolution A/53/L.16, to introduce that draft resolution, and will then make a statement on behalf of the delegation of Egypt.

Draft resolution A/53/L.16 was submitted and circulated more than three weeks ago, so it is only fair to assume that every delegation in this Hall is well acquainted with its content. For that reason, I shall limit my introduction to a few points that will explain the objectives and the rationale of the text.

At the outset, it should be recalled that the Charter of the United Nations is the constitutional basis and the legal framework of our work. It should be recalled also that the General Assembly is the most democratic of institutions, whose responsibilities are discharged in a transparent manner in conformity with the relevant provisions of the Charter and whose proceedings are regulated by its rules of procedure. The Charter clearly sets out the decision-making rules and the requirements for the adoption of amendments to the Charter. These are specified in Articles 108 and 109, which, as noted in the fourth preambular paragraph of the draft resolution before us,

> "when addressing matters relating to amendments to the Charter of the United Nations, ... calculate the majority required for taking decisions in the Assembly on the basis of the whole membership of the United Nations and not on the basis of the members present and voting".

Even in Article 109, which deals with the convening of a General Conference to review the Charter, the calculation of a majority is based on the membership of the United Nations: for the first 10 years it would have been a two-thirds majority, and since then it has been a simple majority — of the Members of the United Nations, and not of members present and voting.

Needless to say, any decision relating to the expansion of the Security Council is intrinsically connected to amendment of the Charter, and should thus be subject to the decision-making threshold referred to in Article 108. Only such a conclusion would be in conformity with the letter and the spirit of the Charter.

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Cognizant of this conclusion, the heads of State or Government of the member States of the Non-Aligned Movement reaffirmed their determination only two months ago at their meeting in Durban, South Africa, that,

> "any resolution with Charter amendment implications must be adopted by the two thirds majority of the United Nations membership referred to in Article 108 of the Charter". [*Final Document of the twelfth summit of the Non-Aligned Movement, chapter I, para. 65*]

Draft resolution A/53/L.16 is a verbatim reflection — word for word — of the Non-Aligned Movement's position in this regard. I need not remind the General Assembly that it was adopted at the highest possible level, that of heads of State or Government.

In the course of the last few days, the sponsors of draft resolution A/53/L.16, in their ongoing efforts to work for the adoption of the draft resolution by consensus, have been listening to several views and concerns regarding the draft resolution. Allow me now to try to dispel some of those concerns in a genuine attempt by the sponsors to clarify the situation.

First, draft resolution A/53/L.16 is of a procedural nature. It does not touch or encroach upon matters of substance in any way and does not prejudice the position of any delegation with respect to the reform and expansion of the Security Council. The draft resolution aims at ensuring that the vital question of the composition of a reformed Security Council is decided by a credible majority of the United Nations membership, as prescribed in Article 108 of the Charter. Any country that wishes to enter the Security Council — as either a permanent or a non-permanent member — or any country that wishes to reform the Council in any way — with respect to the veto, the working methods or any issue in cluster I or II — should enter from the main gate: through Article 108 of the Charter. Back-door diplomacy can never replace the requisite majority prescribed by the Charter.

Secondly, the General Assembly has decided that the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council should continue its work on the basis of general agreement and submit a report before the end of the fifty-third session. It is therefore not acceptable to introduce draft resolutions on substance. Whether such draft resolutions are labelled as framework or conceptual draft resolutions is really immaterial. Yet rumours persist that such attempts are being considered. Draft resolution A/53/L.16 aims at ensuring that whenever a draft resolution on substance is advanced, the constitutional requirements stipulated for Charter amendments must be faithfully observed. Thus, the purpose and philosophy of draft resolution A/53/L.16 is — and I would emphasize this — to uphold the Charter requirements contained in Article 108.

It was for these considerations that the heads of State or Government of the Non-Aligned Movement reaffirmed in Durban the position of the Movement with respect to the decision-making threshold in the General Assembly, as reflected in this draft resolution. Allow me to underline this basic fact in no uncertain terms. Draft resolution A/53/L.16 is a faithful reproduction of paragraph 65 of the Final Document of the Durban summit. This is a fact that we all have to reckon with.

Thirdly, without draft resolution A/53/L.16 it is possible for an element of a Charter amendment on Security Council expansion and reform to be adopted by the General Assembly with as few as 70, 80 or perhaps fewer votes. Clearly, as I pointed out at the beginning of my statement, that would be contrary to the letter and the spirit of the Charter. It should also be recalled, in this context, that a certain proposal by the President of the General Assembly at its fifty-first session advanced what has been called a two-step approach. If it were not for such a proposal as the one that has become known as a framework or conceptual draft resolution, perhaps draft resolution A/53/L.16 would not have been proposed.

The Charter envisages a one-step approach. Indeed, the Charter cannot be amended unless the provisions or Article 108 are fully followed and observed. In this context, it should be recalled that the one single precedent with respect to the expansion of the Security Council took place in 1963, when Articles 23 and 27 of the Charter were amended. These amendments were adopted by the General Assembly on 17 December 1963 and came into force on 31 August 1965. The Assembly voted on a draft resolution which later became an amendment. No attempt was made then to produce a first step and a second step, a framework draft resolution or a conceptual draft resolution. Only a single resolution was adopted.

Fourthly, some views were expressed that this issue has already been discussed in the Working Group and that it should be continued to be discussed in that forum.

The response of the sponsors to that view is that draft resolution A/53/L.16, by virtue of its procedural nature, does not prejudge any substantive question relating to the reform and expansion of the Security Council discussed in the Working Group, nor is it aimed against the aspirations of any region or any Member State. Indeed, draft resolution A/53/L.16 reiterates in its operative paragraph 3 that the Open-ended Working Group shall continue its work in 1999 in order to examine all proposals. Moreover, all of us who followed the deliberations of the Working Group last session can testify to the long time spent on the discussion of many of the procedural issues. In point of fact, the adoption of draft resolution A/53/L.16 will breathe life into the process of Security Council reform, as the clarification of the decision-making threshold in the Assembly will provide new impetus to our work in the Open-ended Working Group and will allow the Working Group to concentrate its time on the substantive questions related to the reform and expansion of the Security Council.

Fifthly, the possibility exists that some will seek the procedural path to confront draft resolution A/53/L.16 by alleging that its adoption requires a two-thirds majority. The sponsors will oppose any such attempts because draft resolution A/53/L.16 is of a purely procedural nature.

Sixthly, as to the concern about the meaning of the phrase "any resolution with Charter amendment implications", let me allay all concerns. That phrase, which is found in operative paragraph 2 of the draft resolution, refers to any resolution on the question of equitable representation on and increase in the membership of the Security Council and related matters which contains criteria for, or elements to be incorporated in, an amendment to the Charter or that lead to the possible adoption of amendments to the Charter. I think this is an important point because we understand that some delegations had some concerns on this particular matter.

For all of these considerations, I submit draft resolution A/53/L.16 on behalf of the sponsors in the hope that it will be adopted without a vote.

(spoke in Arabic)

I shall now make a statement in my capacity as representative of Egypt.

We are continuing our consideration of one of the most important items on our agenda: the question of equitable representation on and increase in the membership of the Security Council and related matters. Many of those who will speak on this item will probably be reflecting the importance of this question to all United Nations membership. This is natural and logical. Not only does this item concern reform of our international Organization, but it goes even further, addressing the restructuring of the contemporary international order itself.

The heads of State or Government of the Non-Aligned Movement have attached particular importance to this matter because of its sensitivity as well as its possible long-term repercussions. It affects the philosophy of the international system, the balance in international relations in general and the role of the United Nations and its credibility, in particular. Accordingly, the heads of State have stressed that this process should not be restricted to an imposed time-frame.

In spite of the importance accorded to this item as deserving of urgent attention, it could not be decided upon in the absence of a general agreement on it. That general agreement was reaffirmed in a resolution adopted by the forty-eighth session of the General Assembly establishing the Open-ended Working Group. In view of that resolution and in recognition of the importance of reaching a general agreement on this important question, the heads of State or Government of the Non-Aligned Movement reaffirmed the fact that any resolution with any implications of relevance to the Charter amendment had to be adopted by a two-thirds majority, as set out in Article 108 of the Charter.

I spoke in detail about this issue when I put forward the draft resolution on behalf of the sponsors, and I will not do so again. However, any draft resolution in the General Assembly containing anything relating to an amendment of the Charter either now or in the future, should be considered as constituting an amendment to the Charter requiring two-thirds majority.

In line with this concept, set forth in the Charter, any attempt to enshrine such ideas, regardless of what they are called, must be subject to the stipulations of Article 108. This is the only conclusion which accords with the Charter, in letter and spirit. This is also what the Non-Aligned Movement has put forward, and what Egypt is committed to. That is why we are co-sponsoring this draft resolution.

I would like to ask the following question: Who would benefit by contravening a resolution that calls for

relate to amendments? Is not the honest response to this question that whoever tries to do so is trying to evade the provisions of the Charter that deal with amendments, and that such evasiveness is due to the fact that at present no two-thirds majority exists for the adoption of any amendment to the Charter?

Let me now turn to the question of reform of the Security Council. Our Minister for Foreign Affairs, Mr. Amre Moussa, has already referred to the restructuring of the Security Council in his statement before the General Assembly. In his statement, he detailed the bases for the Egyptian position on the restructuring of the Security Council. These form the very bases of the Non-Aligned Movement's position: namely, that the reform of the Security Council and its expansion should be included in a single and integrated framework, in one transaction.

I should like to reaffirm that reforming the methods of work of the Security Council is no less important than the question of expansion of its membership. In fact, Egypt regards the latter as more important. It could even be said that discussions in the Open-ended Working Group have demonstrated that there is a narrowing of the differences in views relating to reforming the methods of work of the Security Council. We think that when the Working Group resumes its work next year, it should continue to attempt to build on that narrowing of differences and to translate it into clear provisions when it resumes its work next year.

In this context, allow me to refer to the paper presented by the 10 non-permanents in the Security Council in December 1997. Those States called for a review of the Council's provisional rules of procedure which last were amended in 1982. Even the provisional rules of procedure of the Council have, in reality and from a practical standpoint, become paralysed and non-applicable because the work of the full Security Council is done through informal consultations. In fact, the Security Council now works in the absence of the legal framework represented by the provisional rules of procedure.

Let me now turn to the question of the veto, which for historical reasons is held by a limited number of Powers. Fifty years have elapsed since the establishment of the Security Council, but the scope of the applicability of the veto has not yet been defined. Thus, the heads of State or Government have, for 20 years, called for a review of the veto. In 1995 at the Carthage summit and again in 1998 at the Durban summit, they stated that efforts must be made to democratize the United Nations and that the use of the veto should be restricted as a prelude to its eventual elimination. The Durban summit specifically referred to the need to amend the United Nations Charter in order to restrict the veto right to matters that fall under Chapter VII of the Charter.

The Working Group has echoed that opinion, and several documents have been submitted in that connection. Restricting the veto right would be a step in the right direction. This matter should be taken up by the Working Group next year.

Let me now refer to the expansion of the membership with a view to rectifying the imbalance in representation on the Council. No better evidence exists to demonstrate this imbalance than the fact that the Non-Aligned Movement, comprising 114 Member States — approximately two thirds of the membership of the Organization — is now represented on the Council by only four States. Therefore less than one third of the membership of the Council represents 114 Member States. We think that any review of the membership should take that fact into account and that reform should be carried out on the basis of equitable geographical distribution and in the principle of equal sovereignty among States.

In this regard, Egypt supports the position of the Non-Aligned, which calls for a membership increase of no less than 11 States and would not accept any selective or partial expansion. We also support what was adopted at the Harare summit of African heads of State last year as regards the allocation of five non-permanent seats and two permanent seats to Africa, to be assigned on a rotating basis in accordance with criteria agreed upon by the group of African States. Discussions in the Working Group on the expansion of the Council have demonstrated that there are differing views among States, particularly with regard to increasing the number of permanent members of the Council. Several problems emerged which impede agreement on these issues for the present. These include the naming of States which are qualified to fill these seats or to alternate in occupying them. Also, there are problems on an agreement regarding the criteria to be followed in selecting such States and the possible negative impact if the number of States with permanent membership and thus veto power is increased. We should also refer to the view which is generally opposed to the principle of bestowing the veto power on any State or group of States without clear limits being set on the use of the veto. This reality demonstrates the need for more time to give this issue objective and careful consideration.

The Open-ended Working Group is undoubtedly the proper place for such consideration.

In order to highlight the convergence of views in the Working Group, let us recall the fall-back position of the Non-Aligned States, as presented in the 1995 paper, namely, that if agreement is not reached regarding categories of membership, then the expansion should be limited for the present to the non-permanent seats. This does not preclude the possibility of continuing discussion of ideas relating to expansion of the other categories, which should proceed in an objective manner with a view to reaching a satisfactory conclusion.

The General Assembly, when adopting decision 52/490 by consensus last August, agreed that the Working Group would continue to work during this session. We do hope that what we have said will be considered at the resumed session of the Working Group. The Assembly can rely on Egypt to work towards the achievement of this goal.

In conclusion, allow me to express Egypt's hope that draft resolution A/53/L.16 can be adopted by consensus. We hope that the General Assembly will take the initiative of adopting the necessary draft resolutions as speedily as possible.

I apologize for having spoken at such length.

Mr. Yel'chenko (Ukraine): My delegation takes note of draft resolution A/53/L.16, submitted under agenda item 59, and of its introduction by the representative of Egypt. We also take note of the amendments to this draft resolution contained in document A/53/L.42.

In view of this, let me set the record straight. Since we are all aware of the fact that there is still no consensus on these proposals, it is very important to do everything possible to avoid bringing them to a vote.

It is not the contents of the proposals that are the major reason for our concern. Both proposals contain elements that we greatly support, although our delegation believes that the formulation of them could be further improved. However, at this stage we have no intention to comment on their substance.

Nor is it the emergence of draft decisions relating to the Security Council reform that is causing our unfavourable reaction. We recognize the acute need for stimulating injections that could advance the decision-making process, and it would be a welcome development if the submitted proposals contributed to this goal.

What we disapprove of here — if the word "disapprove" is strong enough to adequately reflect the reaction of my delegation — is the fact that a vote on these two proposals would undoubtedly lead to undesirable confrontations among Member States and destroy the atmosphere of confidence that we managed to restore during the previous session of the General Assembly.

In this regard it must be recalled that last year the General Assembly was facing almost the same situation; however, its President discerned from the very beginning the damaging consequences that would result from the proposals being considered in plenary. His energetic efforts helped to avoid confrontation and led to agreement that the Assembly would not take any decision on this item. Such a solution to the problem was highly appreciated by all delegations, including the co-sponsors of the submitted proposals.

The precedent of the previous session proved that there is a way of avoiding unnecessary conflict situations. If my understanding of the established practices of the General Assembly is correct, then we must proceed first with a debate on this agenda item; only after that would we consider the above-mentioned proposals. Therefore delegations will have time to consult further with a view to reaching common ground on the matter.

My delegation feels with absolute certainty that the consensus the Assembly is seeking on the substance of Security Council reform will be problematic to achieve. It is a regrettable fact, but it is better to admit it than to be misled by unrealistic expectations. The implication is that one day the Assembly will inevitably face a vote on these matters.

At the same time, we are equally convinced that it may become possible to achieve consensus on the ideas contained in draft resolution A/53/L.16 and its amendments — and I would like to stress that we must achieve this consensus. If common sense and political wisdom lead to the holding of additional consultations in order to reach a unanimous decision on the proposals, the delegation of Ukraine will be ready to contribute to these efforts by advancing a number of concrete suggestions.

Having said this, I would now like to make my delegation's contribution to the debate on the agenda item under consideration.

It is indisputable that we are witnessing very active and unremitting interest in the item under consideration. This interest should be regarded first of all as a reconfirmation of the refusal of the vast majority of the United Nations membership to accept the long-standing status quo in the organ entrusted with the primary responsibility for the maintenance of international peace and security.

Twenty years have elapsed since the inclusion of the issue of Security Council reform in the agenda of the General Assembly. For five consecutive years, various aspects of this reform have been thoroughly discussed within the Open-ended Working Group mandated to deal with this matter. As far back as three years ago, Member States undertook the commitment that the Security Council should

> "be expanded and its working methods continue to be reviewed in a way that will further strengthen its capacity and effectiveness, enhance its representative character and improve its working efficiency and transparency". *(resolution 50/6, Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, para. 14)*

However, as we meet at this fifty-third session of the General Assembly, we have to admit that the fundamental question — how to advance from the Security Council which we have now to an organ which is more representative and transparent but not less efficient — remains unanswered. Many of us, including my own delegation, find it difficult to conceal our deep disappointment over the apparent stalemate in the decision-seeking process.

Nonetheless, Ukraine's firm position on the need for a reformed Security Council also remains unchanged. There are a few reasons for this. On the one hand, Ukraine has an immediate national interest in this endeavour, which has a direct relationship to considerations of national security. We must strengthen the capacity of the Security Council as the most reliable and effective guarantor of international relations free from any form of coercion or use of force, of the settlement of international disputes only by peaceful political means and of energetic collective action always being taken in order to avert any development endangering national sovereignty or threatening global stability.

On the other hand, my country does not want to remain apart, as a mere customer of security produced by efforts of the international community. Offering our contribution to the generation of global security is a top priority of our foreign policy today. The same reasons which compelled Ukraine to decide to seek election next year for non-permanent membership in the Security Council for the period 2000-2001 explain our determination to secure an additional non-permanent seat for the Eastern European Group in the enlarged membership of that very important organ of the United Nations.

I am confident that the relevant interests of the overwhelming majority of Member States on the need for this reform are identical or similar to those of my country. It seems that practically nobody questions the urgency of such reform as the only means to ensure that the Security Council continues to function in the next century as a supreme international authority dealing with matters of peace and security.

Should our frustration on the slow pace of this reform discourage us from the endeavour to continue to search for generally acceptable outlines of the solution to this fundamental issue? My delegation's clear response would be "No". This reform is worthy of unsparing and strenuous efforts; it must advance on the road to this goal — step by step, inch by inch. That is why we very much value the contribution in this reform exercise made by the Open-ended Working Group during the previous session of the General Assembly.

Although the outside world has not witnessed an expected breakthrough in the efforts to bring the reform process to fruition, the Working Group managed to consider all of the issues bearing relation to the transformation of the Security Council in the most comprehensive, structured and exhaustive manner. The results of this important work are accurately reflected in the annexes to the report of the Working Group.

I cannot help expressing our pride that your predecessor, Mr. President, who is our countryman, made an essential personal contribution, with the constructive support of practically all delegations, to creating a favourable and stimulating atmosphere allowing us to continue this job with new enthusiasm, determination and energy.

We also wish to acknowledge the very instrumental efforts of Ambassadors Breitenstein of Finland and Jayanama of Thailand, the former Vice-Chairmen of the Open-ended Working Group. We were impressed with their dedication to the accomplishment of the Working Group's mandate. We hope very much that the Working Group, as it resumes its work during the current session, will continue to derive benefit from their exceptional expertise and unrivalled competence in the matter.

The fifth year of deliberations within the Working Group produced conclusive evidence that the time for academic debates and sterile discussions is over. Otherwise, we are doomed to continue this endless exercise without reaching a goal. The President of the General Assembly at its fifty-second session, in his very frank and, in our view, objective evaluation of the overall situation in the decision-seeking process, which he gave on 24 August 1998, came to exactly the same conclusion. As he rightly said,

> "If there is still a need for something to be explored after five years of intensive discussions, perhaps it is our ability to see beyond our national interests and our aptitude to measure this reform against the historical imperatives of today's world." *(A/52/PV.91, p.7)*

Therefore, the most feasible way to break the impasse in this process is to start a qualitatively new stage of deliberations in the Working Group which should be focused on discussing comprehensive blueprints for an eventual decision on the substance of the Security Council reform. Due to the existence of irreconcilable differences, and even mutually exclusive concepts about the reform, it is obvious that the first drafts of such blueprints cannot be prepared within the format of the Working Group. However, it is the Working Group that has to discuss the merits of these proposals after their emergence. My delegation insists that actual negotiations should be conducted in a spirit of utmost transparency and within the confines of that body.

It is clear that, in the end, these blueprints should be put to the test in the General Assembly. In this respect, my delegation associates itself with the broadly upheld approach that substantive decisions on the issue of enlargement of the Security Council and reform of its methods of work — even if they do not contain immediate proposals for amendments to the Charter — must receive as much support as possible, and certainly not less than a two-thirds majority of the United Nations membership.

My delegation believes that the adoption of a resolution which prescribes a two-thirds majority of the United Nations membership as a required voting threshold for such decisions would be the right step to bring us closer to the fruition of this reform.

However, as I emphasized at the beginning of my intervention, it is the strong conviction of the delegation of Ukraine that such a resolution has to be adopted by consensus, and there is every reason to believe that this consensus is possible.

Mr. Tanç (Turkey): Security Council reform continues to constitute one of the most important and daunting tasks before this world body. We cannot lose sight of the fact that the outcome of this process will have long-term implications for both the Organization and all Member States for many years to come. It is therefore incumbent on each and every one of us to weigh our choices with prudence and to avoid premature decisions that would compromise the potential for genuine reform.

From the very outset and throughout the years that we have been discussing this question, Turkey has reiterated its support for a genuine and comprehensive reform of the Security Council. We continue to maintain that such a reform must address the needs of the Organization, correspond to the justified expectations of the entire membership and reflect the fundamental changes that have reshaped the international political landscape.

We subscribe to the view that the principle objective of this exercise must be to render the Council more efficient, effective, representative, democratic and accountable. We share the general desire of the membership for the enhancement of the representative character of the Council and for greater transparency and democratization in its working methods. We also believe that an enlargement of the Council alone would fall short of ensuring a more equitable and representative participation in its work, and we therefore advocate a fair and workable system of rotation.

Over five years of discussions on the issue have clearly revealed that the reform the Council is in order as a matter which deserves urgent attention. Our debate in the Open-ended Working Group this past year enabled us to cover significant ground on an important aspect of the reform relating to the improvement of the working methods of the Council. The greater part of the proposals put forward and contained in the annexes of the report of

the Working Group bear testimony to the wide convergence of views on the need for more transparent and democratic procedures. However, the same debate equally underscored that deep divisions continue to persist on the modalities of the envisioned reform. It appears that we remain far from a recipe for enlargement that would the command general agreement which is imperative for reform of this nature.

We regard the Open-ended Working Group as the only appropriate forum for our endeavours. This is why we support the continuation of the work of the Group.

We strongly feel that this undertaking, the most serious in years, to enhance the role and moral authority of the Council cannot be rushed to meet an imposed deadline, particularly when it is abundantly apparent that Member States require further time in order to find solutions that would meet the expectations of the largest segment of the United Nations membership — in other words, before a general agreement can emerge.

We have at no time been opposed to the aspirations of any Member State in this process. However, we believe in the underlying principle of the matter. The collective will of the membership of the United Nations on such a crucially important issue should not be disregarded. Reform of the Security Council should not be used as a means to further the interests of a few to the detriment of the majority. This is certainly not how we interpret the objective of this exercise. The reform of the Council must be realized in conformity with the democratic ideals that we stand for.

This brings me to the fundamentally important aspect of the issue: the majority required for decisions to be taken on Security Council reform. Turkey has consistently maintained that any resolution with Charter-amendment implications must be adopted by the two-thirds majority of the entire United Nations membership referred to in Article 108 of the Charter In fact, a very large majority of Member States have clearly expressed their support for this approach during the deliberations of the Working Group this year, not to mention the fact that this is also the articulated position of the Non-Aligned Movement. Common sense dictates that it is simply not conceivable that a reform of such consequence could be realized by the support and consent of less than 124 Member States. How could legitimacy be served by anything less than this threshold?

It is in line with the considerations outlined above that my country has co-sponsored draft resolution A/53/L.16. Essentially a procedural draft resolution, A/53/L.16 intends to establish that any decision which will certainly result in the amendment of the Charter must be based on a credible majority and faithfully represent the collective will of the membership of the United Nations. It in no way or manner prejudges or prejudices the outcome of the reform process. It will simply ensure that the enlargement of the Security Council is realized on a valid and solid foundation of support. We believe that its adoption by the General Assembly at the conclusion of our debate on this item will serve to provide a new impetus for the process of Security Council reform.

Mr. Amorim (Brazil) (*interpretation from Spanish*): Allow me to offer a few words of appreciation to you, Sir, since this is the first time that you and I have been in the General Assembly Hall together. It is important to me to convey our high esteem for your country, Uruguay. We are convinced that you are doing and will do your best to ensure that consensus is reached on the procedures governing our work. We are sure that we can count upon your wisdom to achieve that end.

(*spoke in English*)

Security Council reform has been a shared aspiration and a common goal of the entire membership of the United Nations for most of the present decade. It was brought to the forefront of the Organization's agenda by a representative cross-section of delegations that included several developing countries, which seized the historic opportunity opened up by the end of the cold war. The objective was essentially a simple one and it appealed to all United Nations Members. It remains just as simply today: By making the Security Council more representative and accountable, we would be increasing its legitimacy and its authority, thereby setting the stage for enhanced multilateral cooperation in the construction of a more just and peaceful international order.

Resolution 47/62, adopted by consensus on 11 December 1992, set the process moving by inviting Member States to present their views on the matter, while recognizing the changed international situation and the substantial increase in the membership of the United Nations.

The following year, resolution 48/26 of 3 December 1993, also adopted by consensus, recognized the need to review the membership of the Security Council and related matters in view of the substantial increase in the membership of the United Nations, especially of

developing countries, as well as the changes in international relations. This was the resolution which, as we all know, established the Open-ended Working Group.

The first report of the Working Group to the General Assembly concluded that there was a convergence of views that the membership of the Security Council should be enlarged. At the same time, it stated that the scope and nature of such an enlargement required further discussion. In those days, there were still a few delegations which believed that it would be possible to promote a reform based on discriminatory distinctions between the North and the South. The developing world stood together in denouncing such inequitable approaches as fundamentally incompatible with our objectives.

By the fiftieth session of the General Assembly it had become clear that in the event that there were agreement for an increase in the permanent membership, an increase involving only industrialized countries would be widely regarded as unacceptable, as observed almost verbatim by the Vice-Chairmen in their assessment of the debates.

During the first weeks of 1997 the Vice-Chairmen of the Working Group invited representatives of all United Nations Member States to informal private consultations, either individually or in small groups, covering a total of 165 delegations, in order to get a general feeling for where things stood overall, as well as on specific issues. Of particular significance was the fact that

> "An increase in both permanent and non-permanent categories of membership in the Security Council was supported by a very large majority of those interviewed" (*A/51/47, annex VII, para. 6*)

and that most of these wanted

> "permanent members to come from both developing and industrialized countries". (ibid.)

When the Working Group was presented with a proposal by the President of the General Assembly, its content reflected to a very large extent the findings of the two Vice-Chairmen. Most important of all, this proposal did not discriminate between developing and industrialized countries and suggested a fully democratic system for the selection of new permanent members by the General Assembly, and of course the rules of the General Assembly would apply. It also included a number of other provisions on decision-making and working methods that struck a reasonable balance between the more idealistic suggestions advanced in the Working Group and what was realistically possible.

This brief recapitulation of some of the more important steps in our common effort to define the contours of a reform package acceptable to the largest possible majority brings us to today's debate. We now have before us the fifth report of the Working Group to the General Assembly. In many ways the Working Group seems to have come full circle. It is once again under the stewardship of a President of the General Assembly from the Latin American and Caribbean region — the Minister for Foreign Affairs of Uruguay — after having been placed under the guidance of representatives of countries from all United Nations regional groups: Guyana, Côte d'Ivoire, Portugal, Malaysia and Ukraine.

But it has also come full circle in a more problematic sense. Its latest report does not present any significant sense of direction or a more precise focus. It is in fact a compilation of documents. Some might argue that the Working Group has outlived its usefulness. Nonetheless, the Working Group has decided to prolong its activities for yet another year, taking into account the progress achieved so far and the views expressed during this debate.

Our own view is that the extensive work carried out under five successive Presidents of the General Assembly has already produced a sufficiently solid foundation for negotiations to begin on a reform package. In due course a comprehensive resolution addressing all the elements of a reform package will have to be considered by the General Assembly.

We all know what the parameters of such a package are, since they are all contained in the findings of the consultations of the two Vice-Chairmen. Although differences still exist in relation to one or another aspect, it is absolutely clear that the vast majority of States — and, indeed, most scholars and think-tanks that have studied the subject from an independent perspective, as well as the world at large — agree on the need to change the existing imbalance and lack of representativeness of the nucleus of the Security Council, namely, the composition of its permanent members, by bringing it into line with world realities, especially the expanding role of developing countries in the international maintenance of peace and security. It is unfortunate that the hesitation of some with respect to the question of the total number of members in an expanded Council is preventing us from engaging in final negotiations.

There can be no justification for indefinitely prolonging our discussions. It would be most regrettable if the United Nations were to look back at the 1990s as a decade of lost opportunities. If we wish to complete the reform process which was so successfully initiated by Secretary-General Kofi Annan during the last session of the General Assembly, we must not allow that to happen. We should start to envisage a temporal horizon for our efforts to bear fruit. The end of the millennium is approaching, and as Mr. Annan has stated in his latest report on the work of the Organization,

> "In the countdown to the new century, we must carry forward the reform programme I initiated last year, and Member States must engage those reforms that lie within their purview with greater determination and vigour." (*A/53/1, para. 236*)

I am convinced that we are capable of facing the challenge that we freely presented ourselves with when we adopted resolution 48/26 by consensus five years ago. And it is precisely in a spirit of consensus-building that I wish to dedicate the remainder of my speech today to the draft resolution contained in document A/53/L.16.

The proponents of this text share a concern which in itself is legitimate. They do not wish to be surprised by a draft resolution that will confront the General Assembly with a reform package that has not been previously negotiated in a sufficiently open and democratic manner. Neither do we. They are worried that under the voting procedures established by the Charter and by the rules of the General Assembly such a package might be adopted by a majority that does not necessarily meet the standard of "general agreement" referred to in resolution 48/26. So are we.

The solution being proposed, however, would, if adopted, introduce a major change in the procedures of the General Assembly and actually modify the United Nations Charter itself. According to Article 18 of the Charter, General Assembly resolutions are voted either by simple majority or by a two-thirds majority of members present and voting when important issues are at stake. Not even a matter as serious as the expulsion of a Member State from the Organization activates a different majority. The majority mentioned in Article 108 applies to Charter amendments. To suggest that the majority foreseen in Article 108 should apply, as a legal framework, to resolutions with Charter amendment implications is to propose to amend the Charter, which, I repeat, does not, in its present drafting, contemplate such a third kind of resolution. If we were to follow the logic of draft resolution A/53/L.16 itself, such a proposal would need to be ratified by the majorities foreseen in Article 108, since this same draft resolution is actually interpreting, if not changing, the Charter. But that, of course, is not being contemplated. In this respect, draft resolution A/53/L.16, as presently drafted, is in itself contradictory.

More importantly, however, we should ask ourselves very honestly whether we want to embark on such a momentous change of the basic standards set by the Charter for adoption of resolutions of the General Assembly. Let me be clear: the legal implications of the draft resolution contained in document A/53/L.16 as now written go beyond Security Council reform and could very well be used, in the future, to create obstacles for the advancement of important causes such as sustainable development, the status of certain entities, norms for solving conflicts and the like. We are convinced that these legal implications, which are extremely worrisome, have not been as carefully examined as they must be. In other words, what some delegations view as a possible insurance policy against an insufficiently pre-negotiated framework for Security Council reform is itself a problematic and insufficiently examined proposal for amending the Charter and the General Assembly's rules of procedure.

Given the assurances which you have received, Mr. President, to the effect that no reform package or any other kind of substantive resolution will be presented during our consideration of agenda item 59, I believe that there is room for reaching an understanding that would help us avoid unnecessary confrontation in the Assembly Hall. I would therefore join others in urging you to continue to carry out consultations, and even intensify consultations, aimed at addressing this question in a manner that is satisfactory to all, preserving consensus.

It is in this spirit that my delegation has joined the sponsors of the amendments to draft resolution A/53/L.16. I believe that the Permanent Representative of Belgium will introduce them, so I will not go into them at any length. Permit me to say, however, that these amendments have been carefully designed to deal with the legitimate political concerns that led to the presentation of draft resolution A/53/L.16, while at the same time avoiding its legal pitfalls.

Let me call attention to the new operative paragraph 2, which deals precisely with an issue the Ambassador of Ukraine has just mentioned and which is also of concern

to many other delegations: the fact that the general agreement envisaged in the resolution that created the Working Group is an agreement by at least two thirds of Member States. Recognizing this political fact and having a political understanding on it does not prevent us from seeing the legal flaws in draft resolution A/53/L.16 as presented.

Allow me to add another word on something my good friend Ambassador Elaraby of Egypt mentioned here today, which has to do with the two-stage approach. He reminded us that the last time the Council was reformed, to increase the number of non-permanent members in 1963, it was by a one-stage approach. May I take this opportunity to remind him that in this particular case we are already embarked not only on a two-stage approach but actually on a three-stage approach. We first decided to consult with Member States, in resolution 47/62, and then decided to create the Working Group, in resolution 48/26, so actually we are already now, in the Working Group itself, in the third stage. It is not a question of our having a two-stage approach.

In fact, if draft resolution A/53/L.16, as presently drafted, had existed before resolution 48/26 was adopted, no Working Group would probably ever have been created, because that resolution, may I remind the Assembly, was adopted by consensus. There was no roll call, no one knows how many people voted for it, and actually someone might have argued at that stage — we would not agree, but someone might have argued — that the very notion of general agreement has a Charter amendment implication.

I merely wish to call the Assembly's attention to the danger of the expression "Charter amendment implication", which in the future can be used, and especially by the developing countries, for purposes of our own. It can be raised in connection with matters such as sustainable development. It can be raised in connection with matters relating to norms for resolving conflicts. It can be related even to more specific matters which I know are of interest to the great majority of members of this Assembly, including my own country. Again, the matter of Charter amendment implications goes far beyond the Security Council, and that is something that we have to bear in mind.

Speaking as a founding member of the Rio Group, let me recall that the Declaration on the strengthening of the United Nations and the reform of the Security Council, adopted on 24 August 1997 by the Asunción Summit in the Paraguayan capital, underlined that Security Council expansion, as far as Latin America and the Caribbean are concerned, requires "a process that is not only legally sound, but also politically legitimate". What the proponents of the amendments seek to do is precisely to reconcile the legitimate political concerns of some or all of the proponents of draft resolution A/53/L.16 with a sound legal basis. In the name of our commitment to international law, we believe it is our duty to ensure that we do not rush to adopt texts of questionable legal standing, such as the draft resolution contained in document A/53/L.16, as currently written. We will remain ready to enter into a constructive dialogue in order to look for alternatives which do not carry with them such objectionable and — I am sure — unintended side-effects.

I am confident that in your wisdom, Mr. President, and as the representative of a country that rightfully takes pride in its solid legal tradition, you will steer us away from a course which carries with it the potential for serious destabilization not only of the Security Council reform process but of the work of the General Assembly for years and years to come.

Before concluding, let me place on record my words of respect and admiration for your predecessors, Mr. President, as well as for the extremely dedicated and competent work carried out by the two Vice-Chairmen of the Working Group. Ambassadors Breitenstein and Jayanama have demonstrated the highest degree of professionalism in tackling a sensitive and complex issue, and they have greatly contributed to ensuring that our debates in the Working Group were kept on a rational track.

Mr. Ka (Senegal) *(interpretation from French):* For the fifth year in a row, the General Assembly will consider the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

At the outset, I would like to emphasize that this year once again, and even more than in previous years, the impression that we are simply marking time on this difficult and complex exercise prevails, despite the impressive number of relevant proposals, the force of the convictions involved and the weight of the arguments. This feeling of powerlessness, and even discouragement and frustration, regarding the achievement of the much-desired reform of the Security Council, through consistent and comprehensive approach, is the result of

the many differing points of view on finding a consensus or a general agreement on the scope of this restructuring, which, in our time, is the missing link in the overall process of the reform of the United Nations.

The difference of opinion on the composition of the future Council lies between those who, on the one hand, for the sake of efficient functioning, advocate a Council of 21 members, and those, on the other hand, who advocate a necessary democratization of its representation and consequently propose a Council whose membership is increased to 26. It is obvious that the majority of States would not want an enlargement of the Council to only 20 or 21 members divided between the two categories of seats. In order to enable us to make progress, my delegation believes that we should step up our efforts and continue our consultations with a view to finding a dynamic compromise on a number that might draw our positions closer together and meet the requirements of democratization, legitimacy, representativity and effectiveness in the Council.

In connection with increased membership, there are also differences between those who advocate an expansion in both categories and those who, if an impasse is reached, would favour an expansion limited only to the category of non-permanent members. Taking into account the new contours of international relations since the end of the cold war and the fact that the broad majority of Member States of the United Nations are from the South, and in order not to miss the opportunity offered today for African countries in a new reform of the Security Council, my delegation believes that the expansion of the Council should involve both categories of seats, permanent and non-permanent.

Finally, there are differences with regard to the delicate and complex question of the veto, an essential decision-making mechanism. This issue has been much discussed in our negotiating sessions in the Working Group, and we can draw one conclusion: the vast majority of States believe the veto to be an anachronistic and discriminatory right and advocate limiting the scope of its application with a view to its gradual elimination. If the use of that right were limited, those States could more easily accept the veto as being more acceptable morally and politically.

However, because of the repeatedly reaffirmed positions of the five permanent members, which are not disposed to accept the principle of the elimination, or even of a reduction, of their powers within the Council, realism must henceforth guide our actions.

In order to get beyond the current impasse, therefore, my delegation believes that the only way open to us is to begin a substantive debate on the question of the veto with the permanent members to enable us to arrive at mutually agreed arrangements with regard to the application of that right, the exercise of which should extend to all permanent members, both old and new.

I have already elaborated upon and clarified this proposal here and in the Open-ended Working Group. We could revisit it again during the resumed work of the Open-ended Working Group.

The differences that I have just enumerated give us a good idea of the importance of what is at stake with regard to Security Council reform. The Council's status as a centre of power and decision-making gives it a privileged and enviable place within the United Nations system. This explains and accentuates the difficulties of reforming that body.

Throughout the many meetings of the Open-ended Working Group, we all benefited from the valuable contributions of several delegations and groups of countries, all of which provided help, guided us and fostered within the Open-ended Working Group a momentum that today is enabling us to continue the exercise of reforming the Council.

Have we not already achieved broad agreement on the modalities for improving the working methods of the Council, and is that not proof that greater understanding can lead us to greater progress? Discussions within the Open-ended Working Group have surely also shown that we can arrive at a broadly agreed position on a credible mechanism to review the functioning of the Security Council.

It remains for us to put this into practice — to capitalize on the momentum so as to translate it into action. In order to do so, we should try to provide guidelines to direct us in our work and above all to help the Chairman of the Open-ended Working Group in its future work.

The joint African proposal thus gains its true meaning within this positive effort at global thinking. Since being adopted in 1994 in Tunis and confirmed at the 1997 Harare summit and the 1998 Ouagadougou summit, it has been widely presented by African delegations during various sessions of the Working

Group. I shall not, therefore, go back over its powerful and interesting ideas.

However, I should like to reaffirm that, in order to correct the existing imbalance, which works against them, the States members of the Organization of African Unity are claiming the right to two permanent and two non-permanent seats. To that end, they have suggested that the occupancy of the permanent seats should rotate according to a system that I had the honour and privilege to submit to the Working Group last July, immediately after the Ouagadougou summit. That formula for rotating permanent seats has the dual advantage of allowing for the broad democratization of the system of representation in the Security Council while at the same time taking into consideration the overall interests of Africa. That is why we welcome the interest that it has aroused within the Working Group.

In conclusion, I should like to state a number of self-evident facts. The Security Council does not function to the general satisfaction of the Member States of the United Nations. It is therefore necessary to revise its modus operandi — a point upon which we all agree. The Security Council does not represent the Member States equitably and democratically. We must therefore re-examine its membership with a view to appropriately expanding both categories of membership. The world today is no longer the way it was in 1945, and it would be anachronistic to wish to preserve today things that were brought about by different considerations and different circumstances more than 50 years ago. In this regard, the status of permanent member, like the right of the veto and the composition of the Council, must necessarily be re-examined to take account of the new international situation.

The outcome of the Second World War in 1945 provided rights for some States and inflicted punishment on others, while Africa and a large part of Asia were still under domination. All of that now belongs to the past, but we must take it into account. We must do so in order boldly and realistically to reinvent a new Security Council — a Council that is more credible because it is legitimized by all and more democratic because it is more transparent and representative.

That is what is at stake. That is the challenge that we will have to take up during the resumed work of the Open-ended Working Group. Despite our current differences, we must be patient and show a spirit of openness and constructive innovation so as to continue our exercise and complete the work that is well under way. In doing so, my delegation believes that a compromise agreement could be reached on the ideas contained in draft resolution A/53/L.16 and the amendments presented to us. In order for us to avoid confrontation, you, Mr. President, could help us by leading the necessary consultations. The eyes of the international community are upon us, and the hopes of several continents must not be disappointed.

Mr. Čalovski (the former Yugoslav Republic of Macedonia): Once again we have an opportunity to comment on the role, relevance and future of the Security Council, a principal organ of the United Nations. To focus correctly on the issue, we have to have in mind all the provisions of the Charter of our Organization and the fact that it came into force in 1945, 53 years ago. We should be pleased that in 1945 the Member States adopted a Charter with a vision that continues to be the main goal of our Organization. That vision, however, is not a vision of status quo, but a vision of advancement and change. The Charter requires our Organization to lead global change. It is in that context that we should see the role and the relevance of the principal organs of our Organization — the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and, of course, the Secretariat.

If we would like to see an enhancement of the relevance of our Organization in global affairs, if we would like to prevent its marginalization, we have to insist on the enhancement of the relevance of the role of the General Assembly and of the Security Council at the same time. Both these principal organs are responsible for the maintenance of international peace and security. The Charter has established a correct relationship between them and requires continued close cooperation between them. It excludes relations of dominance or relations between them on an unequal footing. In fact, at present the Security Council is playing a dominant role in the maintenance of international peace and security. The role of the General Assembly is, unfortunately, diminishing, which is a matter of concern and the main reason for the very slight progress to date in the effort to reform the Security Council. This aspect should be studied very carefully and studiously if we would like to record progress in future deliberations. Since the majority of Member States, the so-called silent majority, cannot have a seat in the Security Council — cannot be members — their interest in endeavours to reform the Security Council, it must be admitted, is small. However, their interest in enhancing the role of the General Assembly in the maintenance of international peace and

security is huge, and their desire for a new arrangement that will make the General Assembly relevant in this field is opportune and should be supported.

To proceed, in a result-oriented manner, with our discussion on the reform of the Security Council on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council we have to examine concepts and attitudes which are now outdated. We have to do that sooner rather than later. The globalization of political, economic, social and cultural life is forcing us to work speedily in that direction. We therefore support the recommendation of the Open-ended Working Group to continue the deliberations building upon the progress achieved so far, addressing studiously all matters related to the reform of the Council.

With regard to membership of the Security Council, there is huge confusion as to which Member States can have a seat in the Council and which cannot. We hear theses that are difficult to understand and that are based mainly on arguments which favour discrimination, and which forget that Article 2, paragraph 1, of the Charter states that "the Organization is based on the principle of the sovereign equality of all its Members".

In our opinion — one that is shared by many delegations — to have a seat on the Security Council, to be a member, is a duty and an obligation of each Member State under the Charter. The Security Council does not act in the name of a particular Member State. It acts in the name of the United Nations. According to the Charter, it acts on behalf of the Member States of the United Nations.

When States become Member States of the United Nations under Article 4 of the Charter, they undertake the obligation to be a member of the Security Council. The question of when Member States undertake that duty should be seen as a technical issue, to be decided by the State concerned. It is of paramount importance that each Member State should have the opportunity to be a member of the Security Council. No Member State should be denied that duty.

On the subject of the composition of the Security Council, Article 23 of the Charter is clearly outdated. One cannot imagine, for example, that if Member States were requested to draft a new Article 23 they could agree on a text such as the one in the present Article 23. But we have to be realistic. Although it is outdated, we cannot change it. Thus, we have to tackle the problem in a different way and find a solution on the basis of the principle of sovereign equality of all Member States, as in Article 2, paragraph 1 of the Charter. We should consider the principle of geographical distribution and fair rotation the only relevant principle for membership in the Security Council. The aim of our future deliberations should be the aim of the Charter to enable each Member State, large or small, to discharge the duty of a member of the Security Council. A new arrangement is therefore necessary. When we find an acceptable one, the General Assembly will be able to overcome the present unhealthy competition for membership and for trading votes.

To elaborate on this last point, in our view — a view that is shared by many delegations — the so-called trade of votes, or the so-called commercialization of votes for membership in the Security Council and other bodies of our Organization, has become unacceptable. The present practice is harmful for the political standing of the Organization. It should therefore be stopped. The Open-ended Working Group should consider this issue very studiously. The basis for its deliberations should be the present very good practice of the African Group for fair rotation. The effort to democratize the Security Council will not yield results if Member States are unwillingly forced to pursue their legitimate interest in becoming members of the Security Council through unpopular and undemocratic means. It is doubtful whether the Open-ended Working Group will be able to record progress next year if it does not tackle this matter. If it does not, the interest of many States in reforming the Security Council will continue to be very slight, and the Council will continue to be the organ of only some Member States.

In the future, the concepts of developed and undeveloped countries, industrial and agricultural nations, non-aligned and aligned countries, and large and small nations will not be relevant in the context of membership of the Security Council. These concepts, as we all know, are the result of a different time. Today is a time of globalization. The maintenance of international peace and security is a global affair, everybody's affair. Everybody benefits from peace and development. Everybody loses from wars, economic crises and underdevelopment. Nations are dependent upon other nations, upon each other. There is no longer any such thing as an independent economy. Every day we share the same news. We know much more about each other than we did in the past. Our vision of the future is more or less the same; we all share an aspiration to the world envisaged in the Charter. In such a situation, for your country to be

a member of the Security Council it is not really relevant whether it is developed or developing, industrial or agricultural, aligned or non-aligned, large or small. The only relevant thing is whether you are prepared to discharge the duties of a member of the Security Council in accordance with the Charter. To perform that duty successfully and effectively, you do not need to have military or economic might. The decision to be a member of the Security Council is the sovereign responsibility of each Member State and should be verified at the time of election by the General Assembly. No other conditions should be entertained.

We know very well that the permanent members of the Security Council are not prepared to abandon their right of veto. But we have noticed a certain flexibility in the use of that right and in the threat to use it. We consider this a positive development. We should build on it. We should advance our effort towards a situation in which the permanent five do not abandon the right of veto but agree voluntarily to be flexible. What could be the basis of such an arrangement? In our opinion, the answer is the enhancement of the role of the General Assembly in the sphere of the maintenance of international peace and security. When the Security Council is faced with a threat of the use of the veto, it could request the General Assembly to express itself on the matter — by the required majority, of course. Such a decision by the Council should be considered as a procedural matter to be adopted by an affirmative vote of nine members. The recommendation of the Assembly should not be obligatory for the Council. The fact that, under the Charter, the Security Council has to report to the General Assembly is extremely important and relevant, and should therefore be carefully considered. Under the Charter, the Council can report to the Assembly as many times as it wants to, not only once a year as is the case now. It would therefore be important if the General Assembly adopted a declaration encouraging Security Council members to make every effort to seek consensus in the Council's decision-making process.

We note with satisfaction that there has been progress in the working methods of the Security Council. We should build on that. The results achieved so far indicate that, in spite of everything, progress and change are possible. We appreciate the present efforts of Council members to be much more transparent than in the past and to be positive about consultations with interested Member States. As the Permanent Representative of the Republic of Macedonia, I would like to state that all members of the Council have been cooperative and have been ready to help me and the other members of my delegation.

In our view, although we have not seen progress on an increase in the membership of the Security Council, the discussions so far have not been a waste of time. Delegations have had the opportunity to put forward their views and to examine their differences. As far as we are concerned, we continue to believe that the political reality of international relations and cooperation favours an increase in the membership, both permanent and elected. The solution should be achieved through political dialogue. The support of the permanent members of the Security Council is essential if we are to make progress in the future.

I would like to take this opportunity to reaffirm that the position of my delegation as stated in this Hall and at meetings of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council remains unchanged.

Let me end my statement by expressing the hope that the Working Group on Security Council reform will view its deliberations as an important part of the overall process of the reform of the United Nations and will take into account the urgency of enhancing the relevance of the General Assembly in world political affairs with regard to the maintenance of international peace and security. The enhancement of the Assembly's role will not weaken the relevance of the Security Council; it will strengthen it. We should struggle for a relevant Security Council and a relevant General Assembly if we would like to have a relevant United Nations. If we are successful in this endeavour we will avoid the present danger of the marginalization of our Organization.

Ms. Wensley (Australia): The large number of speakers in this debate is, as it was last year, testimony to the importance of the issue of Security Council reform. But because of this — by my calculations there are still 60 more speakers listed after me — I will be brief.

Australia's position is well known. Reform of the Security Council is overdue. Further delay and obstruction of the reform process carry a cost that can be measured in the currency of the Council's credibility and relevance and of that of the United Nations as whole. We support the expansion of the Council by giving permanent seats to under-represented developing regions, by giving permanent seats to Japan and Germany in keeping with their role in international peace and security, and by

increasing the number of non-permanent seats. We support a review, after 10 years, of any new arrangements. We support a new understanding of the scope and application of the veto, and we support greater openness and transparency in the Council's working methods.

When I delivered the Australian statement on this agenda item one year ago, I said that the time for debate was over and that we needed to move to serious negotiations on concrete outcomes. It is a matter of real regret to Australia that one year later we are still waiting for those negotiations to begin. That we have not made more progress in the Open-ended Working Group is no reflection on its management.

I would like to express our appreciation to the former President of the General Assembly, Minister Hennadiy Udovenko of Ukraine, for his chairmanship. I would also like to pay particular tribute to Ambassador Asda Jayanama of Thailand and Ambassador Fredrik Wilhelm Breitenstein of Finland for their tireless efforts and, may I add, for their unceasing fairness as co-Vice-Chairmen of the Working Group. We very much regret that circumstances have arisen that prevent them from continuing in that role. The incoming co-Vice-Chairmen will have Australia's support, and it is our hope that their authority and yours, Mr. President, will help us overcome the hurdles that remain in the way of agreement on Security Council reform.

We have before us today a draft resolution, A/53/L.16, dealing with the question of the majority required for decision. This is one of a number of questions addressed in the Working Group that clearly is not yet ripe for decision. We have a number of difficulties with draft resolution L.16, not least with its references to Article 108 of the Charter, which we believe to be legally flawed. Article 108 stipulates the majority for Charter amendments, not the vague concept of Charter amendment implications. I will not dwell on this point. My colleague, the Ambassador of Brazil, has just provided what I believe to be a compelling analysis of this aspect. But I do want to underline its importance because we must protect the Charter at all costs.

Unravelling the Charter to serve a tactical convenience would be at very great cost to all of us. If, however, draft resolution L.16 ultimately is aimed at finding a way of ensuring that decisions on the reform of the Security Council are taken by the highest possible majority of the membership of the United Nations, then that is an objective that we share. If that is the objective, then we can work with the sponsors to that end. That is why Australia is joining with others in proposing some amendments. We are a sponsor of those proposals. They are designed not to oppose draft resolution L.16, but to provide a basis for compromise and consensus. We hope very much that there will be an opportunity to pursue it.

Australia's view is that this draft resolution is not yet ready for decision. Agreement may not be far away, but further consultations are needed to get us there; so we believe that action on draft resolution A/53/L.16 should be deferred while we look for compromise. Pressing for action while the prospect of consensus exists would reflect badly on all of us and on this Organization. It would create division and confrontation where it is our responsibility — and, I assume, our wish — to find agreement, and it would be, above all, destructive to our shared goal of reform of the Security Council. My delegation, for one, is ready to work energetically to avoid this.

Mr. Tello (Mexico) (*interpretation from Spanish*): The General Assembly is in good hands. We are sure that you, Mr. President, will put forward your best effort to ensure that the session over which you are presiding will resolve each and every item entrusted to you with strict adherence to the law, as is characteristic of Uruguayans.

In 1979, almost twenty years ago, Mexico supported the proposal of a group of countries to include in the agenda of the General Assembly an item related to equitable representation in the Security Council and increase in its membership. With the honourable exception of China, all the permanent members of the Council opposed the substantive consideration of the item by the Assembly, and, as all of us will recall, that consideration was deferred year after year.

The exercise gained new life in 1993. Mexico then saw an opportunity, as did many others, to expand the Council and to transform it into a more democratic, more efficient, more transparent and more representative organ. However, the ambitions of a few and their aspirations to join the privileged group have prevented us from moving ahead.

In 1995, convinced as we have been for the past 20 years of the need for the Security Council to reflect the increase in the membership of our Organization, we submitted a proposal whose objective was to increase by five the number of non-permanent members. That

proposal, with which all are familiar, remains on the table and is consistent with the objectives that in principle we all share.

At the same time, my country still cannot understand how a Security Council with twice the number of permanent members could be more efficient or more effective. Nobody has been able to explain to us how a Security Council with an increased number of privileged members could even aspire to more legitimacy. We also fail to understand how a Security Council with more permanent members could better represent all the States that belong to the United Nations or become a more democratic organ by the mere fact of increasing the number of permanent members.

Furthermore, it is worth reiterating that were we to follow the proposals that the pretenders to the Council have been advocating, the membership of the new Security Council would turn out to be even more unbalanced and unfair than the current one. In this context, allow me to recall what my delegation has stated on different occasions. According to some of those proposals, the European Union, composed of 15 States bent on formulating a common foreign and defence policy, would have three permanent members on the Council. Almost a decade after the end of the cold war, 4 of the 16 members of the North Atlantic Treaty Organization would hold a permanent seat.

As if that were not enough, six of the States that belong to the Group of Eight would be represented in that category. If that were to be the result of our work, one might ask — and I would ask the Assembly — what happened to equity? What happened to equitable representation? And what about geographical distribution?

The concept of permanent rotating seats is one of the greatest fallacies to emerge from our deliberations. Besides the fact that the term represents a semantic contradiction, the institution itself does not hold up to serious analysis. In the current system, each of the five regional group has permanent seats, which are occupied on a rotating basis by States elected annually by the Assembly. Hence, Africa, Asia, Latin America and the Caribbean, Western Europe and other States and Eastern Europe are already permanently represented on the Security Council. To maintain that the system of permanent rotating seats would grant more privileges is pure sophism, and the belief that seats lacking a permanent occupant would magically be extended the right of veto is illusory.

This leads me to one of the fundamental issues that the Working Group needs to resolve: the right of veto. This is neither a trivial matter nor a passing fancy. Mexico shares the opinion of the overwhelming majority that regulating the scope of the veto constitutes one of the central elements in any significant reform of the Security Council. In other words, without a radical transformation in the scope of the use of this anachronistic privilege, true reform of the Security Council, to which we all aspire, will simply never happen.

Allow me to reiterate before the Assembly some of the historic considerations that I shared with the Working Group a few months ago. The position of Mexico on the veto privilege has not changed since the San Francisco Conference. The existing balance of power in 1945 forced us to accept the system of rotation agreed upon in February of that year by the leaders of the United States, the United Kingdom and the Soviet Union, the three participants in the Yalta Conference.

The prevailing political conditions at the end of the Second World War made it impossible to prevent five Members of our Organization, to whose creation we all were committed, from bypassing the principle of the sovereign equality of States in order to acquire special powers and privileges.

On 13 June 1945, the delegation of Mexico at San Francisco did not support what became paragraph 3 of Article 27 of the Charter. Its text reflects the formula agreed upon at Yalta by the three victorious powers of the Second World War. It is worth recalling once again that that provision was not adopted unanimously; the result of the voting was 30 in favour, two against, 15 abstentions and three absent, which proves that even then the idea of granting privileges to a few did not enjoy unanimous support.

Despite his opposition to the very concept of the veto, the representative of Mexico explained that he had abstained owing to the fact that the representatives of the four sponsoring Powers and France had stated that if the voting procedure agreed at Yalta were not accepted, it would be impossible to adopt the Charter creating the international Organization.

We were told in no uncertain terms at San Francisco that if the veto was not granted, there would be no United Nations. We were driven by the strong desire to create an Organization that would, in the words of the Charter,

"save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind".

Even before that historic vote, many doubts had been voiced concerning the privilege that the victorious Powers were considering giving to themselves. Indeed, in 7 June 1945, the four sponsoring Governments, as the United States, the United Kingdom, the Soviet Union and China were known, issued a joint statement on the voting procedure in the Security Council in reply to a questionnaire addressed to them by the other participants.

That joint statement of the four, to which France associated itself, did not satisfy the rest of the countries, since the future permanent Members did not fully respond to the questions put to them and furthermore gave an excessively broad interpretation to the powers that they were soon to acquire.

It is noteworthy that in view of its shortcomings, the joint statement could not be included in the Charter of the United Nations not does it appear in any other legally binding instrument. It is not a document accepted by the Members of the United Nations.

At the San Francisco Conference, the delegation of Australia proposed an amendment to the Yalta voting formula. As is well know, the Australian suggestion amounted to limiting the scope of the veto to decisions taken under what is now Chapter VII of the Charter. This Australian initiative was put to the vote on 12 June 1945, with the following result: 10 in favour, including Mexico; 20 against; and 15 abstentions. Five countries were absent.

That is what happened in San Francisco. Allow me now to recall other events that might shed some light on certain positions. On 21 March 1945, before the San Francisco Conference, the new Government of France, which was installed once the Allied armies liberated its territory from the German occupation, made extensive comments on the voting procedure in the Security Council, which are to be found in the documents of the Conference. The French Government was of the view that unanimity of the permanent members should only be required for decisions entailing the use of force. In all other situations, the veto rule would not apply. In other words, France agreed that this privilege should be restricted to what is now Chapter VII of the Charter, as Australia would formally propose a few months later. We must admit, however, that this French position was expressed when France was not yet assured of a permanent seat on the future Security Council.

On 17 May 1945, one day after the Conference agreed to amend the Dumbarton Oaks Proposals to include France among the privileged, the French representative stated that, even though his Government had proposed amendments, it would willingly accept the voting formula agreed to at Yalta by the three victorious Powers of the Second World War. He stressed that he would have favoured certain changes if they would not have jeopardized the establishment of the Organization.

The five permanent members of the Security Council have always — always — argued that the veto right is an instrument that ensures unity among the Powers. History and facts demonstrate that precisely the opposite has occurred. The veto, expressly established in several provisions of the Charter, from Article 4 to Article 109, has spread unchecked, like a weed, to the working methods of the Council. Its use or the threat of its use has disrupted even informal consultations, an institution that, by the way, constitutes a veto of transparency.

The veto prevents action. The veto does not foster unity, nor does it promote the search for mutual understanding. More than a responsible act of power, exercising the veto reflects a position too weak to be sustained through reasoning. Blocking the will of others is the only way out when arguments fail to convince. He who uses the veto does not provide alternative solutions; he simply obstructs action. He prefers to impede any movement rather than facing a problem with a view to solving it. Paradoxically, the user of the veto does not impose a particular course of action; he merely stops one that he deems contrary to his interests.

Let us turn to the sad history of the use and abuse of the veto in the context of the admission of new Members. Twenty States suffered the opposition of one permanent member to their application for membership. The Soviet Union — which also has the dubious honour of being the first permanent member to exercise the veto power in the Security Council, which it did on 16 February 1946 — has earned the gold medal in this competition, having used its veto on more than 40 occasions to oppose the admission of new Members to the Organization. On a single day, 13 December 1955, in the course of what can be labelled a historic meeting of the Council, the Soviet Union systematically blocked the admission of 15 countries. The United States, as a distant

second, gets the silver medal, having used the veto for this purpose on six occasions. China blocked a single admission, that of Mongolia. Let us give credit where credit is due: France and the United Kingdom have never vetoed a membership application. The most recent veto on such a matter took place on 15 November 1976, when the United States prevented the admission of Viet Nam. We hope and trust that that was the last such veto, since it is difficult, if not impossible, to understand on what grounds the admission of a State that meets the requirements provided for in the Charter can become an issue relevant to international peace and security. Nonetheless, the veto was used capriciously against States that are now important Members of the United Nations.

The permanent members themselves understood that an indiscriminate use of the veto privilege led to unwarranted impasse on certain subjects. In 1947, at the initiative of the United States, the General Assembly established an organ called the Interim Committee to examine issues relevant to the maintenance of peace and the peaceful settlement of disputes between the closing of one session of the General Assembly and the opening of the next. In the course of its deliberations, the Committee examined the question of voting procedure in the Security Council. Many proposals were advanced; among these I will single out the suggestion that the admission of new Members should be considered among the categories of decisions that should be taken

> "by an affirmative vote of seven members of the Security Council, whether or not such categories are regarded as procedural or non-procedural". *(A/AC.18/41)*

This proposal eliminates the possibility of using the veto with regard to the membership application of a State.

One might well think that the author of this proposal was the delegation of Mexico, but no. What I have just read out comes from document A/AC.18/41, which was proposed to the Interim Committee on 10 March 1948 by the delegation of the United States. The admission of new Members was the first item on the list of the 31 types of decisions that Washington considered should not be subjected to the veto. This gives an idea of the importance the United States attached to curtailing abuses that had been inflicted on countries that today distinguish themselves as Members of our Organization.

Two more permanent members, China and the United Kingdom, also submitted proposals to the Interim Committee on the exercise of the veto. China proposed that the five permanent members amplify their 1945 Statement by adding to it a declaration to the effect that they waived

> "the right of invoking the application of Article 27 (3) in all proceedings arising under Chapter VI of the Charter on pacific settlement of disputes". *(A/AC.18/13)*

It should be noted that this Chinese suggestion is surprisingly similar to the Australian initiative that was defeated in San Francisco.

Finally, the United Kingdom proposed, among other things, that the permanent members,

> "mindful of the fact that they are acting on behalf of all the United Nations,"

I repeat —

> "mindful of the fact that they are acting on behalf of all the United Nations, would only exercise the 'veto' where they consider the question of vital importance to the United Nations as a whole, and they would explain on what grounds they consider this condition to be present." *(A/AC.18/17)*

It should be recalled that these proposals were advanced in 1948 — a particularly difficult year in the history of Power rivalry. It was the year of the Berlin blockade, a time when tensions in Europe reached dangerous levels. In spite of those unstable and insecure conditions, three permanent members made suggestions to limit the scope of the veto.

As we have just seen, one of them did not consider the admission of new members to be an issue that warranted the use of the veto. Another went even further to suggest that the veto should not be used in questions pertaining to the peaceful settlement of disputes. The third stated that this privilege should be restricted to exceptional, fully justified cases. If this is what happened in 1948, would it be too far-fetched to expect a more mature attitude on the part of the permanent five now that the cold war has ended?

As will be recalled, in May 1996 the delegation of Mexico presented document CRP.7 for consideration by the Working Group. It contains proposed amendments to seven Articles of the Charter with the view to limiting the

use of the veto to the issues for which the Security Council was designed — namely, coercive measures under Chapter VII of the Charter.

We believe that the five permanent members of the Security Council could accept that the General Assembly, the most representative organ of the international community, has finally come of age after more than half a century and is thus able to take certain decisions responsibly without prior authorization of the Council.

We are convinced that the General Assembly can decide whether a State is peace-loving or not and whether it is qualified to fulfil the obligations enshrined in the Charter. We are convinced that the Assembly should be solely responsible for the very serious decision to suspend or expel a Member State from the United Nations. We also are convinced that the Assembly ought to be entrusted with the responsibility of appointing the Secretary-General of our Organization. And we are convinced that the eventual amendments to the Charter should be adopted by two thirds of the members of the Assembly and enter into force when they are ratified by two thirds of the Members of the United Nations.

What will not be possible, and what we will never accept, is that, while giving up nothing — absolutely nothing — some of them expect their immense powers and privileges to simply be extended to other countries. It would be unacceptable that the reform would merely duplicate or highlight the differences. It would be intolerable if the decision were only to multiply centres of power and privilege. How could anyone imagine that the General Assembly at the end of the century, a General Assembly in which 185 sovereign States participate, would accept the establishing of new centres of absolute power?

We would like a careful reflection to start on the role that the five permanent members are called upon to play in the United Nations of the twenty-first century, an Organization that can no longer live in the nostalgia for the world of 1945. Barely two years away from a new century, at the dawn of a new millennium, the reality is that we are in the presence of five absolute monarchs by virtue of the Charter. We would like them to consider the possibility of becoming constitutional monarchs. We feel that before the twenty-first century the permanent members should be willing to share some responsibilities with the rest of us, that is, the General Assembly.

The principle of constitutional monarchy was born in England in 1215, almost 800 years ago, when a group of noblemen forced King John Lackland to accept limits to his power and to sign the historic document known as Magna Carta. In 1787, the United States enshrined in its Constitution a mechanism of control of the executive power by the representatives of the people. In 1789, the abuse of absolute power by the king led to the French revolution, and the principles of liberty, equality, and fraternity took form in the legal statute of the Republic. Finally, in our century, the peoples of Russia and China initiated a struggle against the excesses of the autocratic power of their rulers. It would be truly ironic if the very countries that invented constitutional monarchy and enshrined systems to prevent the abuse of power would be the ones which today oppose the application to international life of the precepts which sustain their own national institutions.

I will now turn to the question of the majority required to adopt the decisions for the reform of the Security Council.

My delegation is firmly convinced that the substantive transformation of the Security Council is a matter of fundamental importance, since it involves changing one of the cornerstones of the constitutional system of the United Nations. Such a task can be successful only if it enjoys both juridical legitimacy and political validity, which require that any decision be taken, if consensus cannot be reached, by at least the widest possible majority. Short of consensus, we feel that the support of at least two thirds of the Members of the United Nations — the figure established in Article 108 of the Charter — is required. We are speaking of 124 States, a number compatible with the extent of the ambitious reform being contemplated. That is why Mexico is co-sponsoring draft resolution A/53/L.16, which we hope and trust the Assembly will adopt at the end of our debate. I must emphasize that the draft resolution refers solely and exclusively to resolutions that have to do with the question of equitable representation in the Security Council and the increase in the number of members and related matters and does not set — of course it does not because it cannot — precedents for other matters.

In conclusion, I would like to state that in our opinion the exercise of the increase in membership of the Security Council has its own rhythm. A solution cannot be rushed. The Movement of Non-Aligned Countries, the Organization of African Unity (OAU), the Organization of the Islamic Conference (OIC) and, at the Latin American level, the Rio Group have stated at the highest

level that they are in favour of reaching "general agreement", as specified in the resolution that established the Working Group. We are convinced that the reform of the Security Council must unite us and not divide us. We need to build an effective, efficient, transparent and democratic Security Council that reflects the interests of all regions without discrimination, special status or exclusive privileges. In search of that Security Council, the Working Group can count on the active and esolute participation of Mexico.

Mr. Baali (Algeria) (*interpretation from French*): I wish at the outset to convey our appreciation and gratitude to the former Bureau of the Group for its outstanding work over the past year and, in particular, to Ambassadors Breitenstein and Jayanama, whose threw themselves into an exercise that was all the more arduous and fraught with risk because it involved vital stakes and was apt to arouse passions that are, in the final analysis, quite understandable.

I also seize this occasion to reiterate our encouragement to Mr. Kofi Annan for the courageous reform work he is undertaking to make our United Nations more responsive to the challenges of the coming millennium.

Having said this, we are firmly convinced that the overall efforts that have been made, worthy and important though they may be, will remain incomplete if they are not accompanied by far-reaching and comprehensive reforms that set as their final goal the renewal of the various organs and their relationships within the Organization, in particular that between the General Assembly and the Security Council, which continue to labour under the logic and burdens of a world configuration prevalent at the end of the Second World War.

In the framework of the reform and restructuring process under way in our Organization, the question of equitable representation on and increase in the membership of the Security Council is quite obviously the most sensitive and complex, given its significant political dimensions and because it concerns one of the central organs of the United Nations. In view of its role in the area of international peace and security, the Security Council represents an arena in which the manoeuvering and interests of Powers clash, the aspirations of the international community are made manifest and the frustrations of a great many States are expressed.

It is clearly frustrating that the consideration that has been accorded this issue for some years has not given rise to the desired progress nor to any compromise leading to a broad majority, thereby demonstrating the great difficulty of the exercise we are leading.

The in-depth debates that have taken place this year in the Open-ended Working Group on Security Council reform have in fact proved that, while there is a large convergence of views on such issues as the Council's working methods, there remain profound differences on such substantial matters as the size and composition of the Security Council and the right of veto.

Regarding the first group of issues, we should recall that the Security Council has taken initiatives and steps that have undeniably improved its communication and working methods with non-member States. In so doing, the Council has shown its flexibility and receptivity to the constant clamour of non-member States for more information and transparency. These improvements, however, remain limited and fragile because they are discretionary and have yet to be institutionalized. It is therefore important that these efforts continue in order to ensure greater transparency in the work of the Council, whose decisions continue to be taken in informal consultations in the absence of the States concerned and in the most absolute opacity.

As to more sensitive and controversial issues of substance, although it may be difficult to achieve a convergence of views in this regard, an overall agreement seems to have emerged to expand the Council's composition to ensure a broader and more balanced geographical representation. Indeed, everyone agrees that the composition and current structure, which emerged from the state of the world in 1945, have become obsolete and anachronistic and reflect the political and economic realities neither of our era nor, a fortiori, those of the coming millennium.

The world has in fact undergone dramatic upheavals since the creation of our Organization more than 50 years ago. The end of the colonial era allowed the emergence on the international scene of a large number of independent nations that embody a new order in the world based on the principles of equity, justice and solidarity. The end of the cold war also opened new prospects for the possibility of reforming all institutions that seem to have outlived their usefulness. There is thus great hope to see these institutions rid themselves of the trappings of colonization and the cold war and to commit

themselves resolutely to the path of renovation and democratization so as to adapt to changes that have taken place and to meet the legitimate aspirations of the international community. Thus far, that hope, whatever claims may be made, has not been fulfilled.

As we have just said, Security Council reform must take into account new international realities and, in particular, the growing weight of the developing countries, which represent the majority of States Members of our Organization and whose concerns and interests are barely considered in the central organ of the United Nations system, although all the questions before that organ concern them first and foremost.

The Security Council, which is supposed to act on behalf of all Member States, must consequently open up further so as to be more representative. In this regard, a Council reformed by the assent of more than two thirds of States Members of the United Nations and expanded in both membership categories, accorded without discrimination the relevant powers and prerogatives, would enjoy new prospects and broader support in its decision-making and treatment of crises. That, after all, is the objective of the reform process, which is to make the Council more representative, more legitimate and more credible, thereby helping to strengthen its efficiency and to increase its authority and that of the United Nations as a whole.

In this vein, the vigour and relevance of the basic principles identified by the Non-Aligned Movement and reaffirmed recently at the Durban summit remain indisputable, since they refer to respect for the principles of the sovereign equality of States and equitable geographical distribution, which are the bedrocks on which our Organization rests. These principles also reflect a legitimate demand by the majority of States for greater democratization and transparency in the working methods and procedures of the Council. They actually represent the most reasonable basis for achieving the desired results in this vast reform endeavour, which must enshrine the universal nature of our Organization.

It is precisely for this reason that my delegation fully endorses the request of the Non-Aligned Movement to increase the Council membership to 26 and that it is pleased to reaffirm its firm commitment to the shared African position, which calls for the allocation of two permanent rotating seats for the African continent, with the same prerogatives as other permanent members. We believe that the principle of rotation, which has always been invoked and respected in regard to the issue of allocating seats to Africa, is the most democratic and, in any case, the most effective means of ensuring to Africa credible representation accepted by all in the Security Council. Indeed, the requests of the Non-Aligned Movement, which are also those of Africa, seem to us to be reasonable and realistic proposals worthy of the international community's support.

In this regard, it seems essential to us that the interests of all States and regions be seriously considered in this unprecedented and historic exercise, which by virtue of its crucial importance for the future of our Organization and international relations should not be held captive to a predetermined time-table. Furthermore, any attempt to impose a premature, hasty decision would run the risk of doing irreparable harm to this very delicate process which is so important to all the States Members of our Organization. The broadest possible consensus among Member States is necessary to ensure genuine reform of the Council. By the broadest possible consensus, we mean consensus among almost all States Members of the United Nations, certainly greater than the two-thirds majority envisaged by some. In this context, I would like to reaffirm the full relevance of Article 108 of the United Nations Charter, whose wording reflects the determination of the General Assembly to ensure that the adoption of any proposal to modify the Council be carried out at least at the level required by that Article.

We are at a critical stage in our initiative of reforming the United Nations and the Security Council, which calls for us to make additional efforts to further develop the progress achieved thus far. In this connection, my delegation hopes that debates on this important issue will continue on the basis of transparency and democracy in a relaxed atmosphere marked by calm and far removed from the logic of sterile confrontation.

As far as my delegation is concerned, it is firmly committed to the reform process under way and wishes to reiterate its full readiness to contribute openly and actively to the work on Security Council reform in order to make it an organ adapted it to its times, able to respond to the legitimate aspirations of Member States and capable of fulfilling transparently and credibly the formidable mandate conferred upon it by the Charter.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): Another year of laborious search for the sought-after formula of Security Council enlargement

provides convincing evidence that, as one of the key aspects of the United Nations reform, this matter, which is extremely important to the interests of the majority of States and the future of the Organization itself, cannot have a quick and, moreover, artificially forced solution.

One cannot sacrifice the fate of the entire United Nations for the sake of Security Council enlargement. If a considerable group of distinguished States committed to the United Nations finds itself in the minority and does not support possible amendments to the Charter, there will be a very real danger of a deep political crisis emerging within the United Nations and of undermining the legitimacy of a decision taken. The final goal of the Security Council enlargement is the strengthening of its efficiency, which is organically linked to improving balance in its membership and representativeness. But a split within the United Nations is not a price the world community can afford to pay for the completion of this task.

The Security Council's successful activities in the field of crisis and conflict management and prevention bear out indisputably the main responsibility of that body for maintaining international peace and security, as stipulated by the United Nations Charter. At the present stage of world development this is a decisive factor.

During recent decades and especially during the historically short post-cold-war period, the Security Council members have managed to work out effective procedures for the coordination and adoption of generally acceptable and efficient decisions. The results are evident; the overwhelming majority of decisions the Security Council takes these days are based on consensus. This is not easy to achieve. We must coordinate approaches jointly through hard work and at times overcome considerable differences in Security Council members' positions.

That is precisely why the preservation of a compact and operational Security Council membership, from the viewpoint of the decision-making process, is becoming so urgent. We simply do not have another body for prompt response to numerous global and regional security challenges. Without an efficient and operative Security Council, the international community would not be able to adequately address those challenges, and the conflict-settlement process itself would become an exclusive sphere, in the best case, of regional efforts, and in the worst case, of unilateral actions without a central coordinating role played by the United Nations.

The Russian Federation continues to proceed resolutely from the premise that the number of members in an enlarged Security Council should not exceed 20 or 21. We are convinced that exceeding that quantitative limit would have a negative impact on the efficiency of the Security Council's activities, with all the resulting consequences.

Within that quantitative limit, 20 or 21, we remain open to consideration of proposals on Security Council enlargement in both categories. At the same time, the enlargement of each category should include both industrialized nations of the North and developing countries of the South, while ensuring that they have equal status. Any other decision would not benefit the representativeness of the Council and would fail to win the required support in the United Nations.

The Russian delegation, in principle, has nothing against the idea of States occupying new permanent positions on the basis of rotation. The question concerning specific modalities regulating the use of that formula, provided it has broad support, should be left for the consideration of relevant regional groups.

Russia has more than once given a detailed presentation of its position on the issue of the right of the veto. I would like once again to emphasize the most important point: any curtailment of the status enjoyed by the current permanent members of the Security Council is unacceptable, including ideas of curtailing the institution of the veto in all its forms. That is one of the most vital conditions for a feasible resolution of the issue of enlargement of the Security Council. This issue has a strong resonance in Russian domestic politics, particularly since a decision to enlarge the Council is to be submitted to the State Duma for ratification and will be followed by public and political repercussions throughout the country.

As for the decision on granting the veto right to possible new permanent Security Council members, we proceed from the premise that a decision in that regard should be taken only after the specific membership of the enlarged Council has become clear.

We continue to believe that the idea of further periodic reviews of the Security Council's composition has not been developed thoroughly enough. Its implementation might give the impression that discussion on the composition of the Council is turning into an automatically renewable process, which would not

promote the efficiency of Security Council activities or United Nations stability. In 1963, when the previous enlargement of the Security Council took place, nobody could predict when the issue of enlargement of the Council would again emerge. Likewise, today it is rather pointless to try to guess when we will encounter such a need again.

We expect that the General Assembly Working Group will continue specific discussion of the above issues, taking fully into account their political significance for the future of the United Nations. The Working Group will continue to focus its undivided attention on issues of improved methods and procedures in the Security Council's activities. Healthy pragmatism and a phased approach serve as guidelines in that area. There is a need for adequate appraisal of numerous important measures which have already been adopted by the Council and general interest in increasing the output resulting from their implementation and practice. The proposed new steps must be realistically feasible and commensurate with the task of enhanced efficiency of the Security Council.

In general, we do not claim to possess absolute truth, but we have no doubts about the main point: the Working Group must search for ways to reach consensus. Leaving aside often understandable emotions and disappointments with the pace of work being carried out by Working Group, one cannot fail to see the simple and evident fact that the final decision on Security Council enlargement, whatever it might be, must be based on the broadest possible consensus and receive unconditional support on the part of not just two or three members but of all current permanent members of the Security Council.

The Russian Federation will continue to make an energetic and constructive contribution to the search for the kind of real agreement that is necessary for the efficient resolution of the issue of Security Council enlargement, one which can withstand the test of time.

Mr. Horoi (Solomon Islands): The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, has laboured for five years. Many proposals have been presented and discussed, at times with great passion. The growing convergence of views on the working methods and transparency of the Security Council is reflected in practices the Council has implemented recently. Solomon Islands welcomes these steps towards greater transparency. Nevertheless, much remains to be done. While the Open-ended Working Group is in general agreement on the need to expand the Security Council so as to achieve more equitable representation, especially for the developing countries, there are significant differences over critical questions concerning the size and composition of that expansion. Across it all falls the shadow of the five-headed hydra we know as the veto. The Open-ended Working Group, far from decapitating or even caging it, faces the prospect of seeing more heads grow.

Solomon Islands understands the significance of Security Council reform. It is the essential component of United Nations revitalization and requires urgent but thoughtful attention. Time for reflection, however, must take precedence over imposed time-frames. Moreover, the Open-ended Working Group needs the resources to do its work thoroughly. The importance of its undertaking demands no less.

A fundamental issue in any discussion of equitable representation is the future size of the Security Council. On 29 May of this year, the delegation of a permanent member of the Council told the Open-ended Working Group that it based its advocacy of a particular size of an enlarged Council on what the representative called "objective analysis of the activities of the Council in its present composition." The representative of Solomon Islands asked if there were written studies — published articles, monographs, unpublished papers in the archives of the permanent member's foreign ministry — that comprised this objective analysis, and whether they could be made available to the Open-ended Working Group. The representative of the permanent member replied, *inter alia*, that it was not necessary to engage in what he called arithmetic, and if Solomon Islands wished for more information the representative would be pleased to talk privately. After expressing appreciation for the generous offer, the representative of Solomon Islands stated that the Open-ended Working Group was entitled to this objective analysis and the evidence supporting it, but if they were not available, then the techniques of operations research offered a scientific methodology to study how the various proposed future sizes of the Security Council would affect its efficiency. Here the dialogue ended.

The problem, however, is that even if the permanent members would allow such a study, one that would be of assistance in reaching the political and regional objectives of equitable representation, the Open-ended Working Group does not have the resources to undertake or commission research of this kind. Even a request by

Egypt and Solomon Islands for a brief historical and legal study of the basis of the veto strained the available resources, resulting in a less than satisfactory work. Surely this is unacceptable in a matter as important as the reform of the Security Council. The Open-ended Working Group must be provided with the resources it requires to do its work thoroughly and efficiently.

The Open-ended Working Group has conducted its meetings behind closed doors. By now, after five years, the members know one another's views. It is certainly time for the peoples of the world to know them as well. The issues are too urgent for secrecy. As the Open-ended Working Group continues its efforts in 1999, let the doors be open to the representatives of the media and other interested parties. The doors can be closed when necessary. Reportage, editorial commentary and public debate will help move the process of reform forward to a widely acceptable conclusion.

The draft resolution in document A/53/L.16, which Solomon Islands co-sponsors, precludes no substantive proposals for enlarging the Security Council and advances the reform process by clarifying the required decision threshold. Clearly, this draft resolution will help strengthen the credibility of the decisions we finally reach. Solomon Islands remains steadfast in its commitment to a more democratic and transparent Security Council with equitable representation for the countries of the developing world.

Ms. Eshmambetova (Kyrgyzstan): The reform of the Security Council is an important and serious subject for the international community because that central body of the United Nations is assigned primary responsibility for the maintenance of international peace and security. It meets almost daily in search of solutions to rising tensions, threatening crises or open conflicts. The question of how to enable the Security Council to discharge its functions in an efficient and democratic manner, to reflect the realities of the present and to voice the concerns of small nations as well as those of the big Powers has now become vital. The representatives of Member States have been searching for the answers to these questions in the Open-Ended Working Group for almost five years. Although some progress has been made in the area related to the methods of work of the Security Council, the Working Group has not yet been able to reach an agreement on the major substantive issues before it concerning the reforms of the Council. There is no accord on how many members should be in that body, whether new members should have the veto right and whether or not the veto should be curtailed or eliminated in the future.

The question naturally arises: why, after such a long period of time, have answers not been found to these questions? My delegation fully realizes that the issues are exceedingly complex and involve vital interests, actual or potential, that the political will is not always manifested and that certain national aspirations are sometimes put forward prematurely. But I believe that the lack of progress in the Open-ended Working Group is primarily due to the fact that there are too many discussions and not enough negotiations. Discussions are free and open-ended, while negotiations impose a discipline. They require flexibility and readiness to compromise. We have heard every view, repeated over and over again. We have received a vast array of documents, covering both national and regional positions. The time has now come for genuine negotiations, for compromise and for action. Compromise cannot derive from maximal positions; it can, on the other hand, be reached on the basis of moderate and realistic proposals. My delegation is of the view that the suggestions contained in the informal paper presented by 10 countries, the so-called Belgian proposal, may constitute a basis for negotiations. It is by no means a final answer. But those are recommendations likely to draw amendments towards a general agreement.

However, a general agreement lacking the support of the permanent members of the Council would constitute a pyrrhic victory. We would then face the problem, that it might not be implemented. Therefore, we believe that it is necessary to initiate and develop a close dialogue on the outstanding questions between the Working Group and members of the Security Council, in particular the five permanent members. One way to accomplish that objective would be to designate a small informal sub-group of the Open-ended Working Group, broadly representative of the developing countries, the medium and small industrial Powers and the regional groups, in order to initiate discussions and negotiations with the five permanent members.

We further believe that the Secretary-General could sit in on the negotiations as a demonstration of his keen interest in, and encouragement of, the process. This small sub-group could be co-chaired by the Presidents of the Assembly and of the Council. The results of the discussions and negotiations with the five permanent members would be subject to approval by the Open-ended Working Group. A direct dialogue with the permanent members in an atmosphere of transparency and mutual trust would enable us to delineate the specific areas of agreement and disagreement and eventually work out

common solutions to the obstacles on the path of Security Council reform.

We should seize the opportunity to reform the Council now and not let it slip by. Failure to reform the Council would cast a shadow of doubt on the entire reform process of the United Nations. Let us thus look at the future with optimism. Let us redouble our efforts to reach a general agreement on the reform of the Security Council. Let us discuss, but let us go beyond that: let us negotiate in good faith, with determination and a sense of flexibility and realism from all sides. It is in the interests of all nations to complete our work as soon as possible and to reform the Security Council in such a way as to render that organ more representative, more efficient, more transparent, more accountable and more democratic, to enable it to perform the tasks demanded by the twenty-first century. The Secretary-General has been and still is doing his part. Let us do ours.

My delegation firmly believes that the United Nations cannot be restructured in any meaningful way unless we succeed in reforming the Security Council. That is the indispensable foundation for the revitalization of the Organization. We share the Secretary-General's hope that compromise will be reached sooner rather than later.

Mr. Mahbubani (Singapore): We have laboured for five hard years and put in countless hours in Working Group meetings. Yet it is clear that we are no nearer to a solution of the issue before us. Why is this so? The task we have been trying to accomplish could be compared to our trying to move a heavy boulder up a mountain. If we are not making enough progress, it could be due to three possible reasons. First, we could be trying to scale the wrong mountain. Secondly, we could be pushing the wrong boulder. Thirdly, there may be insufficient unity of purpose or agreement among us. As we have made so little progress after five years, it may be useful to reflect on the real reasons for our lack of progress.

First, are we trying to scale the right mountain? What exactly are we trying to accomplish? The stated goal seems to be enlargement. The key operative phrase in our agenda item title is "increase in the membership of". Singapore, too, is in favour of enlargement. We support the formula of the Non-Aligned Movement for enlargement. We have also stated in the past that many countries, including our own, would agree that when general agreement is reached on the expansion of the Security Council, Japan and Germany should be new permanent members.

But surely enlargement cannot be a goal in itself. If enlargement alone could solve our problems, we could keep on enlarging the Security Council until all the countries that aspire to become permanent members were included. Or we could make it an open-ended Security Council, keeping it an open rather than a closed organization. But intuitively we all know that this would be wrong. Therefore, enlargement cannot be the goal; it is a means to an end, not an end in itself. The end clearly has to be effectiveness. We should be scaling the mountain of effectiveness, not the mountain of enlargement.

We do not disagree with the essential argument put forward by the various proponents of enlargement — and there are many different groups — that the composition of the Security Council set in 1945 cannot be eternally valid. It has to change with the times. On this, we have unanimous agreement. But what will the criteria be for this change? That question has never been adequately addressed or answered in our discussions.

The primary responsibility of the Security Council, as stated in Article 24 of the United Nations Charter, is the maintenance of international peace and security. But we also know that the major Powers do not need the Security Council for their security. Neither do the middle Powers. But the small States do — especially the more than half of the United Nations Members with populations of less than 10 million. Curiously, none of the key proponents of enlargement have explained to this key constituency — the small States — how enlargement will enhance their security. Indeed, if enlargement undermines the effectiveness of the Security Council, as it well could if the Council's decision-making becomes unwieldy, it would actually undermine the security of small States.

The one concrete suggestion we have, therefore, for those who wish to move Security Council reform ahead faster is, "Please explain to the small States how your proposals will make the world a safer place for them. Please explain how seven or 10 permanent members or a larger Council of 21 or 24 will enhance the peace and security of small States." That might be a better approach than going to the capitals to apply all sorts of bilateral pressure to support one or another formula.

Small States, being small States, are used to having their arms twisted to support major or middle Powers. This is a natural reality of international relations. But it is one thing to have arms twisted to support a candidate

for a post, say, in the Advisory Committee on Administrative and Budgetary Questions, in the Economic and Social Council or in the International Court of Justice. It is another thing to have our arms twisted to support a proposal which may undermine our own peace and security in the long run. This is why there is always a distinction made between bilateral and multilateral interests. Bilaterally, small States want — indeed, need — to preserve good links with major and middle Powers, but multilaterally, they want to see a strong United Nations and a strong and effective Security Council. It is therefore unfair to ask small States to sacrifice their multilateral interests in favour of their bilateral interests, when, indeed, both are equally important. To win over the small States, the proponents of Security Council reform must therefore explain how their proposals will make the Security Council more effective. Once we begin scaling together the mountain of effectiveness, not enlargement, we will get to the top quickly.

Let us now turn to the boulder we are trying to move up the mountain; and the boulder is, of course, the veto. The veto, as many have said this afternoon, is clearly the most powerful instrument we have within the United Nations system. It can block the selection of a Secretary-General, it can block the admission of a new Member, it can block the creation of new vetoes and it can block a mandatory decision by the Security Council. As it has more negative rather than positive power, it is perhaps appropriate to compare a veto to a boulder. Boulders are hard to move up against natural laws of gravity. Similarly, it is difficult to justify vetoes when the United Nations is based on the principle of the sovereign equality of all States.

Curiously, even though it is the single most powerful instrument in the United Nations, it is not mentioned once in the United Nations Charter. Instead, various euphemisms are used to hand over the power of the veto to permanent members. Nevertheless, the veto serves an important function. Inis L. Claude, Jr., in his classic work on the origins of the United Nations, *Swords into Plowshares*, has clearly explained the origins of the veto. Allow me to read a few key extracts from page 73 of that book in order to illuminate some of the points we are discussing this afternoon:

> "The most celebrated of the special privileges granted to the Big Five, the right of veto in the Security Council, was not so much an instrument of great power dictatorship over small states as a factor injected into the relationships of the great powers among themselves ...
>
> "At San Francisco the small states accepted the superiority of the mighty as a fact of life. Their first objective was to ensure that all of the great powers would accept their place in the leadership corps of the new organization; in this they were successful, and this fact was perhaps the major basis for the hope that the United Nations would prove more effective than the League. Their second objective was to constitutionalize the power of the international oligarchy; toward this end they achieved the incorporation in the Charter of a surprising array of limitations upon arbitrary behaviour, including the procedural brake upon collective decisions by the great powers which was implicit in the rule of unanimity. Their third objective was to gain assurance that the most powerful members would initiate and support positive collective action within and on behalf of the organization in times of crisis; in this respect there were serious apprehensions of failure, based largely upon the fact that the veto rule foreshadowed the possible paralysis of such undertakings."

The clear message from these extracts is that in 1945 a grand bargain was reached among the major Powers as well as between them and the small States. It was carefully calibrated to take into consideration the interests of both. Strangely, in trying to reform the Security Council 50 years later, we have not even begun discussing what such a new grand bargain, involving major Powers and small States will be like in today's environment. If we do not engage in such a serious discussion, how can we move reforms forward?

One innovative suggestion that has been made is that we could create a new class of Security Council members: permanent members without the veto. By creating this class, we would then have three classes of United Nations Members — first class: the five permanent countries; second class: the permanent members with no veto; third class: the rest of us. We are truly puzzled by this suggestion because those who suggest this believe that the vast majority of United Nations Members will see it in their interest to demote themselves from second-class to third-class member status. To the best of our knowledge, no members of a democratic assembly have voluntarily demoted themselves. If we do so in the United Nations, we will be making real history.

The one key question we have to address, therefore, is how many vetoes should we have in the Security Council? Are we better off with zero, one, five, seven, ten, fifteen? Perhaps the more vetoes, the merrier. However, if more vetoes lead to greater paralysis in Security Council decision-making, will this damage the security interests of small States? One of the great mysteries about this five-year debate we have had on United Nations reform is how little — indeed, often nothing — is said on the number of vetoes we should have. Why this coyness? Why do we have this reluctance to address this key question? Unfortunately, since we are all diplomats, we cannot state the real reasons publicly. However, it is no secret that the public positions espoused by some of the key players in the debate do not reveal their true positions. This is why they choose to remain silent on the question of the veto.

But there is no way we can reform the Security Council without addressing the issue of the veto. This is a boulder we must push up the mountain. We cannot walk around it. In our discussions, therefore, we should have a full and open discussion on the veto. In the world of tomorrow, not of today or of yesterday, what should its role be? Which nations should be empowered to have it? Why them? Should we increase or decrease the powers associated with the veto? Should it be limited to ensuring that the Security Council does not try — in a futile fashion — to enforce its will on a State too powerful to be disciplined by the international community? Or should it also, as some have said today, cover issues such as the selection of the Secretary-General or the judges of international tribunals? Are we not better off leaving the selection of these officials to a democratic voting process in the General Assembly?

A more critical question could be, should we impose checks and balances on the power of the veto? Most democratic constitutions work on the premise that human judgements can be flawed. Hence, the need for checks and balances. For example, each time a veto is exercised in the Security Council, formally or informally — and we all know that the informal use has grown in recent years — should we ask the permanent member to account in the General Assembly for the use of the veto? Indeed, should permanent members be held accountable and have their performances reviewed by the General Assembly? Are our needs, interests and wishes irrelevant? These are hard questions, but if we do not address these and similar hard questions, we will make no real progress on Security Council reform.

Next, let me briefly address the question of whether our lack of progress is caused by an insufficient unity of purpose or insufficient agreement among us. Fortunately, the answer to this question is simple: it is obviously "Yes". Despite five years of discussions, we remain poles apart on many key questions of Security Council reform. Indeed, we could even argue that instead of moving in the direction of consensus, we have become even more polarized since the debate began.

This polarization is dangerous. The only way that Security Council reform can work in the long run is if it enjoys wide and deep support among most of the Members of the United Nations. It would be unwise and impolitic to push through any proposal which can only gain a simple majority in this House. We should heed the wisdom of founding fathers when they said in Article 108 of the Charter that

> "Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly".

That wisdom has also been endorsed by the members of the Non-Aligned Movement, both at the ministerial and the summit levels. Paragraph 65 of the Durban Declaration of the Movement states that

> "In conformity with the New Delhi Declaration regarding the necessity to attain general agreement, the Heads of State or Government reaffirmed their determination that any resolution with Charter amendment implications must be adopted by the two thirds majority of the United Nations membership referred to in Article 108 of the Charter".

A direct comparison of the wording of draft resolution A/53/L.16 with the wording of the Durban Declaration will clearly show that the draft resolution has retained true fidelity to the letter and the spirit of the Non-Aligned Movement's decisions on the procedural aspects of Security Council reform. It would be invidious to argue otherwise.

That is why Singapore has joined in sponsoring draft resolution A/53/L.16. We support it because we believe that all Members of the United Nations can and should support it. It does not take any position on the various substantive issues before us. It is purely a procedural text which tries to capture the wisdom given to us by our founding fathers: that all reform of the United Nations,

especially of a vital organ such as the Security Council, should be able to enjoy broad-based support.

This afternoon we have heard many sophisticated legal arguments against draft resolution A/53/L.16. I am not a lawyer; I cannot respond in legal terms. But as a layman I have learned that behind many, though not all, ostensible legal arguments there are essentially political objections. Lawyers can find arguments on both sides. The thrust of the draft resolution is simple and clear. If we are going to reform the United Nations, we will have to do so in conformity with the provisions of Article 108. There is no other door open to Charter reform. If we truly believe that Security Council reform can succeed only with general consensus, then the requirement of 124 votes is indeed a minimal standard to assess whether or not there is general agreement or consensus in this House.

For the small States, a vote in favour of draft resolution A/53/L.16 would also send a clear political signal that any Security Council reform must take into consideration the real multilateral interests of small States in a stronger and more effective Security Council. Any quick fix would benefit only a few middle Powers at the expense of the small States. We should work together for real reform.

Finally, to end on an optimistic note, let me emphasize that real reform is possible. We agree with the advocates of reform that the 1945 snapshot taken of the Security Council cannot be a snapshot that will remain eternally valid. We support reforms. But these reforms must be the result of consensus-building, in which we all work in the same direction. Let us work together as a team to push up the boulder of the veto as we scale the mountain of effectiveness of the Security Council. If we do so, we can succeed. A vote for draft resolution A/53/L.16 would encourage such teamwork.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): Item 59 of the agenda, "Question of equitable representation on and increase in the membership of the Security Council and related matters", is an important item that is relevant to the purposes and principles of the United Nations. The reform and expansion of the Security Council should indeed be a priority for Member States, as it constitutes a very important goal in the effort to further improve and democratize the Organization. In spite of this, I wish to take this opportunity to focus specifically on the working methods and work of the Security Council, particularly the issue of the veto.

In this regard, I would first like to recall what was said by President Arafat during the general debate, on 28 September 1998. In his statement, he emphasized that the complete democratization of this global organization required

> "a solution for the veto question in the Security Council, particularly its frequent and excessive use. Transparency and clear rules of procedure must prevail in the Council. At this juncture, I would like to remind the Assembly that since 1973 our question has been subjected to 21 vetoes in the Security Council by one of the permanent members of the Council, the most recent of which occurred in a period of less than two weeks". (*A/53/PV.18*)

The vetoes to which he referred are those cast by the United States on draft resolutions on the question of Palestine and on the situation in the occupied territories, including Jerusalem. In addition to those 21 vetoes, if we also include vetoes on draft resolutions related in general to other aspects of the Arab-Israeli conflict, the total number would be 35 vetoes since 1973: 35 vetoes in 25 years. During that same period, no other permanent member cast any veto on Palestinian or Middle East issues. The United States vetoes in this regard are tantamount to actually preventing the application of international law and the application of relevant provisions of the Charter, including Chapter VII. In short, this has translated into automatic protection for Israel in the face of the collective will of the international community and in spite of Israel's continuous violations of international law and of the Charter.

This unique situation raises a serious question. What is the remedy for this indiscriminate use of the veto power? The membership has partly reacted with the convening of three separate emergency special sessions. But the phenomenon has persisted. The situation also raises another question: At what stage, or after how many vetoes in relation the same conflict, does a permanent member become a party to the conflict within the meaning of paragraph 3 of Article 27 of the Charter? That paragraph states that

> "Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting".

We believe that the membership should address these and other important questions.

The basic concern in this regard remains whether the United Nations, and specifically the Security Council, can continue to carry out its work and responsibilities appropriately, as specified in the Charter, in the light of this kind of unrestricted use of the veto power by one or another permanent member.

The meeting rose at 6.40 p.m.